IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 7TH SEPTEMBER 2007 / 16TH BHADRA 1929

OP.No. 18553 of 2000(H)

PETITIONERS:
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1) **KERALA STATE RETAIL RATION DEALERS ASSOCIATION, TC.25/1956, DESHABHIMANI ROAD, THIRUVANANTHAPURAM, REP: BYN THE GENERAL SECRETARY K.K.DAYANANDA BABU.**

2) **O.J.JOH;N, ONATE HOUSE, KUMALAY P.O., WAYANAD.**

BY ADV. SRI.K.V.GOPINATHAN NAIR

RESPONDENTS:
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1) **THE STATE OF KERALA, REP: BY THE CHIEF SECRETARY, SECRETARIAT, THIRUVANANTHAPURAM.**

2) **THE COMMISSIONER AND DIRECTOR OF CIVIL SUPPLIES, THIRUVANANTHAPURAM.**

3) **UNION OF INDIA, REP: BY THE SECRETARY, MINISTRY OF FOOD, AGRICULTURE AND PUBLIC DISTRIBUTION, KRISHI BHAVAN, NEW DELHI.**

R1 & R2 BY GOVT.PLEADER SRI.R.LAKSHMI NARAYANAN.
R3 BY ADV. SRI.P.MURALEEDHARAN, ADDL.CGSC

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 07/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP.NO.30853 OF 2000 IN OP.NO.18553 OF 2000.

DISMISSED.

7.9.2007. **Sd/- T.R.Ramachandran Nair, Judge.**

PETITIONERS' EXHIBITS:-

Ext.P1: **Copy of the order No.(CS)A1/15001/2000 dtd.31.3.2000 issued by the 2nd respondent.**

Ext.P2: **Copy of the representation submitted by the 1st petitioner before the 2nd respondent dtd.10.4.2000.**

Ext.P3: **Copy of the judgment in OP.No.15402/2000 dtd.2.6.2000.**

Ext.P4: **Copy of the order in CMP.No.15332/99 in OP.No.9232/1999 dated 6.4.1999.**

RESPONDENTS' EXHIBITS:- **NIL.**

(true copy)

P.A. TO JUDGE.

Kvs/-

T.R.RAMACHANDRAN NAIR, J.

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O.P.No. 18553 of 2000-H.

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Dated this the 7th day of September, 2007.

J U D G M E N T

The 1st petitioner herein is an association of Retail Ration Dealers of the State. It is averred that the members of the association are conducting retail shops in ration distribution under the Kerala Rationing Order. The 2nd petitioner is one of the licensees. It is pointed out that because of the enhancement of price in rationed articles there had been deficiency in the business of the ration shops resulting in huge loss to them. Ext.P2 is the representation they have filed before the Commissioner for Civil Supplies raising various grievances.

2. It is also pointed out that the direction by the respondents to the retail distributors to remit differential cost of articles supplied before 31.3.2000 is also unjustified. It is further pointed out that in spite of the direction issued by this Court as per Ext.P3 judgment to consider and pass orders on Ext.P2, no orders have been communicated even though a hearing was conducted.

3. The respondents have not filed any counter-affidavit. This is a matter the petitioners can invite attention of the Commissioner for Civil

Supplies or the Government as the case may be as is done in Ext.P2 representation. If a proper representation is filed before them, the same shall be considered and orders shall be passed without delay. Without prejudice to the right of the petitioners to approach such of the authorities for redressing the grievance raised in the Original Petition, the same is closed. No costs.

T.R.RAMACHANDRAN NAIR, JUDGE.

Kvs/-